

RHODE ISLAND DEPARTMENT OF LABOR & TRAINING

DIVISION OF PROFESSIONAL REGULATION

BOARD OF EXAMINERS OF ELECTRICIANS

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

WEDNESDAY, June 13, 2012

9:30am

In attendance:

Keith Burlingame

Michael Daley

Stanley Davies

William Lepore, Jr., Chairperson

Robert Zuba

Frank Benell, Jr. was not in attendance. Also in attendance was Glenn Dusablon, Chief Electrical Investigator, and Valentino Lombardi, Legal Counsel

1.) CALL TO ORDER: William Lepore, Jr, Chairperson, called the meeting to order at 9:30am.

2.) APPROVAL OF MINUTES: Stanley Davies made a motion to accept the minutes of the previous meeting, March 21, 2012, as

written; seconded by Michael Daley and passed unanimously by the Board.

3.) CONFLICT OF INTEREST – Not addressed.

4.) VIOLATION APPEAL HEARINGS: Appeal hearings were heard out of order as respondents were late.

Richard Saraf DBA Saraf Electric (Violation # 4240): Glenn Dusablon informs the Board that Richard Saraf called this morning and requested to postpone. Stanley Davies made a motion to postpone the matter of Richard Saraf DBA Saraf Electric, Violation 4240, to next month; seconded by Robert Zuba and passed unanimously by the Board.

Brian Riley (Violation #4241): Brian Riley and Glenn Dusablon, Chief Electrical Investigator, are sworn in for testimony. Glenn Dusablon reads the violation:

Violation 4241 – Brian Riley 33 Windchime Drive, Mansfield, MA

Location of Violation: Smithfield Commons, RT 44, Smithfield, RI

Violation: Rhode Island General Law 5-6-2 "Work for which license required". Mr. Riley, an employee of Mr. Richard Saraf DBA Saraf Electric, MA license # 14274A, installed electrical apparatus in RI without a RI electrical license. This is one violation of RIGL 5-6-2. Mr. Riley has 1 violation totaling \$500.00. On Friday, 4-6-2012, Chief

Electrical Investigator, Glenn Dusablon, witnessed Mr. Riley installing electrical apparatus on site.

The Board questions Glenn Dusablon. Brian Riley testifies and is questioned by the Board.

Michael Daley made a motion that Violation 4241 did occur; seconded by Stanley Davies and passed unanimously by the Board.

Michael Daley made a motion that the fine of \$500.00 be upheld; seconded by Keith Burlingame and passed unanimously by the Board.

The recommendation will be forwarded to the Director.

Joseph Lapomardo (Violation # 4239): Joseph Lapomardo is sworn in for testimony. Glenn Dusablon reads the violation.

Violation 4239: Joseph Lapomardo, RI license B-012173, 14 Wayside Road, Worcester, MA 01605

Location of Violation: Smithfield Commons RT 44, Smithfield, RI

Violation: Rhode Island General Law 5-6-13 "Journey person and burner person restricted to work as employee of licensee". Mr. Lapomardo, B-012173, was performing an electrical installation in a vacant store in the Smithfield Commons complex on RT 44 in Smithfield, RI. Mr. Lapomardo was not employed by a RI licensed

electrical contractor holding an A or AC license issued by the State of RI but installing electrical apparatus at the time for Safar Electric Co. which does not hold an A or AC license in RI. Mr. Lapomardo has one violation of 5-6-13 at \$500.00. On Friday, 4-6-2012, Chief Electrical Investigator, Glenn Dusablon, witnessed Mr. Lapomardo installing electrical apparatus on site.

Glenn Dusablon, Chief Electrical Investigator, provides testimony and is questioned by the Board. Joseph Lapomardo provides testimony and is questioned by the Board.

Stanley Davies made a motion to table Violation 4239 until Richard Saraf appears; seconded by Michael Daley and passed unanimously by the Board. The matter is tabled.

Jose F. Dasilva DBA RI Property Management LLC (Violation # 4238): Jose DaSilva is sworn in for testimony. Glenn Dusablon, Chief Electrical Investigator, read the violation.

Violation 4238, Jose F. Dasilva DBA RI Property Management LLC, 331 B Killingly St, Providence, RI 02909

Location of Violation: 331 B Killingly St. Providence, RI

Violation: Rhode Island General Law 5-6-2 "Work for which license required". Mr. Jose DaSilva (DBA R.I. Property Management LLC) violated RIGL 5-6-2 by advertising on his company truck the word ELECTRICAL under the heading New Construction Remodeling

implying electrical installations. Mr. DaSilva does not have an A or AC Electrical contracting license which is needed to bid, solicit or ADVERTISE as required by RIGL 5-6-2. Mr. DaSilva has one violation of 5-6-2 at \$500.00.

Glenn Dusablon, Chief Electrical Investigator, provides testimony. Jose DaSilva provides testimony.

Michael Daley made a motion that violation 4238 did occur; seconded by Robert Zuba and passed unanimously by the Board.

Robert Zuba made a motion to suspend the fine or \$500.00 pending no further violations; seconded by Michael Daley and passed unanimously by the Board. Glenn Dusablon clarified that the fine is suspended pending no violation for one year; should a violation occur during that time the fine will be reactivated.

The recommendation will be forwarded to the Director.

End of hearings.

5.) STEVE OWEN - OUT OF STATE 15 HOUR CONTINUING EDUCATION PROVIDER WITH NO CLASSES OF RI LICENSE HOLDERS FOR A COMPLETE CYCLE REQUESTING TO BE RECERTIFIED AS A PROVIDER: Glenn Dusablon addressed the Board regarding Steve Owen, an out of state 15 hour provider,

requesting recertification. Mr. Owen has submitted a packet for review by the Board. Under the Rules and Regulations he is to attend the “Provider Seminar” the department has. Mr. Owen resided out of state and was not able to attend the last “Provider Seminar”. Bob Zuba reviewed the material submitted. Mr. Owen had been a provider since 1996 with the Building Commissioner’s Office. Mr. Dusablon requests a recommendation from the Board as Mr. Owen is from out of state. Mr. Owen is willing to appear before the Board in September if necessary. There is discussion.

Stanley Davies made a motion to have Mr. Owen come before the Board in September; seconded by Michael Daley. There is a discussion. Mr. Davies withdrew the motion. Stanley Davies made a recommendation that Mr. Owen be accepted; seconded by Michael Daley. All were in favor.

6.) REVIEW OF RIGL 5-6 FOR CONSIDERATION OF LEGISLATIVE CHANGES: Not addressed

OTHER:

Referring back to the violation hearings, Stanley Davies made a motion to bring in Murrant Electric before the Board. There is a discussion. The Board will wait until after Richard Saraf comes before the Board for his appeal hearing.

Glenn Dusablon informed the Board of a complaint brought to him by IBEW regarding a job at the Baby's R Us store on Bald Hill Road. Mr. Dusablon visited the site the previous night upon approval of the department. Mr. Dusablon found four unlicensed individuals (one from Florida, one from Massachusetts and two from New Jersey) and one person from Rhode Island. Two of the individuals were employed by MGA Labor Services out of Arizona who hired the individuals online through Craigslist. Mr. Dusablon found it disturbing that a company is advertising on Craigslist to employ electricians to send them to other companies on construction sites in Rhode Island. Mr. Dusablon has forwarded Craigslist complaints that he has received to both past and current Directors as well as the department's legal department requesting action be taken regarding the Craigslist advertisements. Mr. Dusablon will be issuing violations accordingly but states it goes beyond the scope of this; i.e.: violating tax code, licensing law, Worker's Compensation law. Mr. Dusablon will forward this information to Legal regarding this Craigslist ad. The board has a discussion. Stan Davies made a motion to submit a letter to Joe Degnan from the Board to look into the matter; seconded by Michael Daley and passed unanimously by the Board. Discussion continued.

7.) ADJOURNMENT: A motion to adjourn was made by Robert Zuba and seconded by Michael Daley and passed unanimously by the Board. The meeting adjourned at 10:48am.

The next meeting is scheduled for Wednesday, July 18, 2012 at

9:30am.